

State of Rhode Island

County of Washington

In Hopkinton on the twenty first day of May 2018 A.D. the said meeting was called to order by Town Council President Frank Landolfi at 7:00 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02833.

PRESENT: Frank Landolfi, Thomas Buck, Barbara Capalbo, Sylvia Thompson, David Husband; Town Solicitor Kevin McAllister; Town Manager William McGarry; Town Clerk Elizabeth Cook-Martin.

HEARINGS

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK TO SIT AS A LICENSING BOARD.

IN FAVOR: Landolfi, Buck, Capalbo, Husband, Thompson

OPPOSED: None

SO VOTED

SPECIAL EVENT PERMIT

The Council opened a hearing on an application for a Special Event Permit filed by Nathaniel Mitkowski on behalf of Ashaway Cub Scout Pack 1 – Narragansett Council BSA, P.O. Box 965, Ashaway, RI 02804 co-sponsored by Hopkinton Recreation Department and Ashaway Volunteer Fire Department for a Family Camp-Out scheduled for 12:00 PM on June 23, 2018 through 10:00 AM on June 24, 2018 at Crandall Field.

Nathaniel Mitkowski was present and indicated that this event would be a regular family campout similar to previous years. They are going to have a campfire in a fire-proof container, make s'mores, play games and be sleeping in tents.

Councilor Buck asked how many years the Cub Scouts have been holding this event. Mr. Mitkowski stated that they used to hold this event decades ago but then they took a break. They now have been holding this event for the past six or seven years. Council President Landolfi asked if the application was complete which was affirmed.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE APPLICATION FOR A SPECIAL EVENT PERMIT FILED BY NATHANIEL MITKOWSKI ON BEHALF OF THE ASHAWAY CUB SCOUT PACK 1, CO-SPONSORED BY HOPKINTON RECREATION DEPARTMENT AND ASHAWAY VOLUNTEER FIRE DEPARTMENT FOR A FAMILY CAMP-OUT SCHEDULED FOR 12:00 PM ON JUNE 23, 2018 THROUGH 10:00 AM ON JUNE 24, 2018 AT CRANDALL FIELD AND WE WILL WAIVE THE FEE.

IN FAVOR: Landolfi, Buck, Capalbo, Husband, Thompson

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HUSBAND TO ADJOURN AS LICENSING BOARD AND RECONVENE AS COUNCIL.

IN FAVOR: Landolfi, Buck, Capalbo, Husband, Thompson

OPPOSED: None

SO VOTED

ZONING ORDINANCE AMENDMENT

The Council opened a hearing on an application for a Zone Amendment to the Zoning Map filed by Town of Hopkinton and Coastal Plastics, Inc. for property located at 35 Mechanic Street identified as Assessor's Map 15 Lot 13B.

The purpose of the amendment is to correct the Zoning Map which erroneously lists this parcel as an RFR-80 Zone and to correctly identify the parcel as being a Manufacturing Zone as the parcel primarily has been used for manufacturing purposes since approximately 1880. The application is filed in accordance with Section 16 of the Zoning Ordinances of the Town of Hopkinton, as amended. Kevin McAllister Esq. served as applicant. There were no filing fees; notice had been posted and abutters' notified. A stenographer was present to record the proceedings.

Town Solicitor Kevin McAllister indicated that he was in an unusual position of being the applicant on this application. Several months ago it was brought to his attention by the Zoning Official that there was a zoning issue with the zoning map

relative to Assessor's Map 15, Lot 13B. This parcel was listed as being zoned RFR-80 when in fact it has been a manufacturing operation since the 1880s. It is an industrial red brick building which was built in 1880. Right next to it is another similar factory building on Lot 13. When this was brought to his attention he requested help from several departments and all of those departments did their own independent research and found that this property has been assessed as a manufacturing zone for all of these years, but apparently the mistake occurred during the comprehensive plan amendment in 1994. This is basically a typographical error that occurred in 1994. It has been treated as manufacturing and used as manufacturing and it is in a manufacturing zone and it is appropriate to fix this error.

Shannon Kam of 22 Nichols Lane questioned why this was being changed now. She inquired if the property was being sold. Mr. McAllister indicated that he did not know the intent behind it, it was a mistake that was brought to the attention of the Town through the Zoning Official and the independent research of this matter confirms this was a mistake. He did not consider this as a change but as a correction of a mistake. Ms. Kam asked if there was a tax difference and Mr. McAllister indicated that you are taxed more if you are in a manufacturing zone and it was explained to Ms. Kam that this property has always been taxed as a manufacturing zone so in effect there would be no change to the tax status. Councilor Capalbo explained to Ms. Kam that over the last two years they have been revising the entire comprehensive plan and the Town Planner looked at every single zoning classification to make sure it was correct and he discovered that this property had an error as to its classification. Councilor Thompson stated that the Town has been getting taxes for this property as if this property was already zoned manufacturing and they want to change it to properly reflect it as being in a manufacturing zone.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO CLOSE THE HEARING AND SET A DATE FOR A DECISION.

IN FAVOR: Landolfi, Buck, Capalbo, Husband, Thompson

OPPOSED: None

SO VOTED

The Council set June 4, 2018 as the date for a decision.

CONSENT AGENDA

The Town Council Meeting Minutes of May 7, 2018; Special Town Council Meeting Minutes of May 8, 2018; Executive Session Minutes of April 2, 2018 were removed from the Consent Agenda. The Council requires additional time to review the Executive Session Minutes.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO APPROVE CONSENT AGENDA AS FOLLOWS: Approve May 1, 2018 FTA Minutes; Accept the following monthly financial/activity report: Town Clerk; Approve the Petition of National Grid/Verizon for a joint pole location on Tomaquag Road.

IN FAVOR: Landolfi, Buck, Capalbo, Husband, Thompson

OPPOSED: None

SO VOTED

The Town Council Meeting Minutes of May 7, 2018 were corrected; page 6 to reflect Councilor Capalbo had abstained from voting not opposed.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE TOWN COUNCIL MEETING MINUTES OF MAY 7, 2018 AS AMENDED.

IN FAVOR: Landolfi, Buck, Capalbo, Husband, Thompson

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO APPROVE THE SPECIAL TOWN COUNCIL MEETING MINUTES OF MAY 8, 2018.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson

OPPOSED: None

ABSTAIN: Husband

SO VOTED

Councilor Husband had abstained as he had not been present.

PUBLIC FORUM

No one spoke during the first public forum.

OLD BUSINESS:

**RI SOLAR RENEWABLE ENERGY LLC & MAXSON HILL LLC ZONE
AMENDMENT-COMP PLAN MAP AMENDMENT DECISION**

This matter was before the Town Council to render a decision re: Petition for a Zoning Ordinance Amendment involving a zoning map amendment and a comprehensive plan map amendment filed by Rhode Island Solar Renewable Energy LLC, 43 Creston Way, Warwick, RI 02886 and Maxson Hill LLC, 10 Wicasta Farm Road, Hope Valley, RI 02832 for property owned by Maxson Hill LLC located at 310 Main Street identified as Assessor's Plat 4 Lot 25 from an RFR-80/Mixed Use Village Zone to Commercial (Special) Zone as a result of the hearing held on March 19, 2018.

Attorney Naccarato was present representing RI Solar Renewable Energy, LLC.

A stenographer was present to record the proceedings.

Councilor Capalbo wished to comment on the zoning decision and comprehensive plan decision. She read the following into the record: "I have appreciated the thorough presentations and discussions concerning this particular parcel close to Exit One bounded effectively by Route 3, Frontier Road and Maxson Hill Road. This Exit – off Route 95, as well as Exit 2, have always been considered our 'beach' property with the highest potential for commercial and industrial development within the borders of Hopkinton. It has always been considered to be a convenient area for offices, retail, hospital, banking, restaurant, and marketing/industrial development because it is close to a major highway. And these parameters have not changed. A solar array of this size – over 50 acres – on a parcel of 138 acres would give the town a sizeable amount of tax monies, but not enough to drop the mil rate any more than 2 or 3 cents. Taxes are useful and every town needs to be cognizant of their use. But this seems to be the only benefit of this solar array in this location. The proposed solar array fronts directly on Route 3 – a major secondary road. Although we have had excellent

presentations concerning protection of water, wetlands, and soil run-off, we have seen, in other communities as well as our own, how this has not occurred – and once damaged it is very hard to correct. These wetlands feed a primary aquifer – the clear cutting and the industrial installation of thousands of brackets will affect the soil, rock and strata under this parcel. However, my largest concern is that this parcel, if we allow the zone change, will bring No jobs, no economic development, No houses, No one to work, pay taxes, spend money on every other aspect of living in a community. In order to attract a grocery store, a bank, a hotel, more restaurants, retail traffic – we need more roofs. More people, more families, more working employers and employees. A solar array gives none of this – and none of this for 50 years or more. We do not know the future and even if this parcel is clear cut for pasture, for cornfields, for hay, let alone for homes, we would have workers, we would have families, we would have farmers. As the Town of Hopkinton and the village of Ashaway have been rural, bucolic historic neighborhoods for several centuries, I am loathe to change this particular cultural and aesthetic on my watch. It’s why my family and many others moved here in the first place. I am not willing to damage the land and the aquifer, or undermine the ability to market this exit as commercial/industrial/retail property. I do not want the entrance to our community to be 50 acres of industrial solar behind a chain link fence with plants on our main road. I am against this proposed zone change and the comprehensive plan change.” Councilor Husband indicated that generally he likes green energy, solar, hydro and wind power, but he has a real problem with this project. He stated that the Planning Board rejected this proposal and it goes against the comprehensive plan. This project does not add to the quality of life for the residents. It doesn’t produce jobs or services. He likes profit development or commercial development around the exits. This development doesn’t provide for the type of development that he would like to see around Exits 1 or 2. He stated that he did some research and this will lower the tax rate by about eight or nine cents. Our tax rate is twenty dollars and change so that is a drop in the bucket. Councilor Husband indicated that he felt that the Maxson Hill Road residents expected, at the most, housing to be across the street from them for this be a residential area. They did not expect a commercial area

across the street and now they are faced with this possibility. Several residents that he spoke to indicated that no one came to their door to speak with them about this project; they only received a flyer. He also doesn't believe the proposers of this project when they say they are going to plant one thousand trees, for you don't plant trees around a solar array; though they may leave a few trees in the marshlands. Councilor Buck indicated that he had two residents from Maxson Hill stop by to assure that he was in favor of this project and he believed that no one spoke against it at the hearing. Ken Brasier of Maxson Hill Road corrected him and stated that three separate residents spoke against this project at the hearing. Councilor Thompson indicated that 30% of that property is wetlands and Roy Dubs, who is the owner of the property, has been trying for more than seven years to come up some sort of commercial use for this site and he hasn't been able to do it. The wetlands are not going to be touched by the solar project and there were a couple of abutters who spoke in favor of this project. She stated that her opinion is that this is a difficult piece of property for any use and this particular use does not involve a septic system or well so she believes they have done the best they can with this property. Council President Landolfi stated that he believes this is a good project based on a lot of different factors indicated at the hearing and it will not require any Town services. This is only our third approved solar project for the Town though there are a lot in the pipeline. He agrees, as does the entire Council and the Planning Board, that there needs to be a tweaking of the solar ordinance which is currently in the process of being done.

COUNCILOR THOMPSON MADE A MOTION WHICH FOLLOWS: TO APPROVE THE PETITION FOR A COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT TO MAP 13 FILED AND THE PETITION FOR A ZONING ORDINANCE AMENDMENT FILED BY RHODE ISLAND SOLAR RENEWABLE ENERGY LLC, 43 CRESTON WAY, WARWICK, RI 02886 AND MAXSON HILL LLC, 10 WICASTA FARM ROAD, HOPE VALLEY, RI 02832 FOR PROPERTY OWNED BY MAXSON HILL LLC LOCATED AT 310 MAIN STREET IDENTIFIED AS ASSESSOR'S PLAT 4 LOT 25 FROM AN RFR-80/MIXED USE VILLAGE ZONE AMENDMENT TO

COMMERCIAL SPECIAL ZONE AND FOLLOWING THE DELIBERATIONS BY THE TOWN COUNCIL ON MAY 21, 2018 TO THE PETITIONER'S PROPOSAL TO INSTALL A SOLAR ARRAY INVOLVING THE ERECTION AND INSTALLATION OF SOLAR PANELS ON THE PARCEL'S APPROXIMATE 137 ACRE SITE IN ORDER TO GENERATE APPROXIMATELY 11.75 MEGAWATTS AC OF ENERGY REQUIRING A ZONE CHANGE FROM RFR80 TO COMMERCIAL IN ACCORDANCE WITH SECTION 16A-E OF THE ZONING ORDINANCE OF THE TOWN OF HOPKINTON AS AMENDED. THIS MOTION IS TO APPROVE SAID PETITION AND HEREBY ADOPT THE TWO PROPOSED ORDINANCES NUMBERED AS CHAPTERS 259 AND 260 RESPECTIVELY, BASED UPON THE FOLLOWING FINDINGS AND SUBJECT TO THE FOLLOWING CONDITIONS; BASED UPON THE EVIDENCE AND TESTIMONY OF THE RECORD PRESENTED AND SUBMITTED AT THE MARCH 19, 2018 HEARING, THE PROPOSED ZONING ORDINANCE AMENDMENT AND THE PROPOSED COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT TO MAP 13 ARE BOTH CONSISTENT WITH THE AUTHORITY RESERVED TO THE COUNCIL UNDER THE COMPREHENSIVE PLAN TO IDENTIFY THOSE AREAS IN TOWN WHERE SUCH USES ARE APPROPRIATE, AND TO IDENTIFY THE CONDITIONS UNDER WHICH SUCH USES MAY EXIST; THAT THE CHANGES PROPOSED WILL PROVIDE BENEFITS TO THE TOWN IN TERMS OF ENHANCED TAX REVENUES TO BE RECEIVED FROM THE PROPERTY AS RESULT OF THE DEVELOPMENT OF THE SOLAR ARRAY; THAT THE CHANGES PROPOSED WILL PROMOTE AN IMPORTANT LOCAL, STATE AND NATIONAL OBJECTIVE SEEKING ALTERNATIVE ENERGY SOURCES THAT ARE SAFE FOR THE ENVIRONMENT AND THE CITIZENS OF HOPKINTON; THAT THE PROPOSED CHANGES WILL NOT ADVERSELY AFFECT THE HEALTH, SAFETY OR WELFARE OF THE TOWN AND ARE IN THE BEST INTERESTS OF THE COMMUNITY; THAT THE PROPOSED CHANGES ARE SUITABLE TO THE CHARACTER OF THE LOCATION IN QUESTION

AND CONSTITUTE A NON-NOXIOUS USE; AND THAT THE PROPOSED USE IS IN CONFORMANCE WITH THE PROVISIONS OF THE COMPREHENSIVE PLAN. AS CONDITIONS FOR THE APPROVAL OF THE PROPOSED CHANGES, THE PETITIONERS AND/OR THEIR SUCCESSORS-IN-INTEREST, MUST ADHERE TO THE FOLLOWING: (1) THE ZONING DISTRICT CLASSIFICATION IS CHANGED FROM RESIDENTIAL RFR-80 TO COMMERCIAL WITH THE RESTRICTIONS THAT THE PROPERTY'S USE HEREAFTER IS LIMITED TO USE CODE 486 PHOTOVOLTAIC SOLAR ENERGY SYSTEMS ALONG WITH THE RESTRICTIONS FURTHER PLACED UPON THE USE STATED IN CHAPTER 134, SECTION 5.3 AND WITH THE FURTHER CONDITIONS THAT (A) THE ZONING DESIGNATION FOR THE PROPERTY SHALL REVERT BACK TO RFR-80/MIXED USE VILLAGE ZONE AUTOMATICALLY AND WITHOUT FURTHER ACTION OF THE HOPKINTON TOWN COUNCIL ONCE THE PROPOSED USE AND/OR ACTUAL USE OF THE PROPERTY AS AN OPERATING PHOTOVOLTAIC SOLAR ENERGY SYSTEM IS ABANDONED OR TERMINATED; AND (B) THAT THE APPLICANT'S REPRESENTATION THAT THE USE OF THE SITE AS A PHOTOVOLTAIC SOLAR ENERGY SYSTEM HAS RECEIVED THE FINAL INTERCONNECTION APPROVAL OF THE SOLAR ARRAY FACILITY BY NATIONAL GRID IS ACCURATE; (2) ALL DECOMMISSIONING AND OTHER PROVISIONS IN PLACE FOR PHOTOVOLTAIC SOLAR ENERGY SYSTEMS AS SET FORTH IN CHAPTER 134 AS AMENDED, AS WELL AS UNDER HOPKINTON PLANNING BOARD REQUIREMENTS, SHALL BE COMPLIED WITH, INCLUDING BUT NOT LIMITED TO THE POSTING OF A DECOMMISSIONING CASH ESCROW BOND IN THE AMOUNT OF \$270,250 WHICH IS FOUND TO BE FAIR AND REASONABLE AND BASED UPON THE PRESENTED EVIDENCE OF RECORD; (3) IN CONJUNCTION WITH THE DECOMMISSIONING AND OTHER PROVISIONS REFERRED TO ABOVE, AND IN ADDITION TO THE DECOMMISSIONING CASH ESCROW BOND DESCRIBED ABOVE, THE

PETITIONERS SHALL PREPARE A REFORESTATION PLAN TO BE APPROVED BY THE PLANNING BOARD AND POST AN ADDITIONAL CASH ESCROW BOND IN A REASONABLE AMOUNT TO BE DETERMINED BY THE PLANNING BOARD DESIGNED TO ENSURE IMPLEMENTATION AND COMPLETION OF THE RE-FORESTATION PLAN SO APPROVED; (4) THE BOTTOM OF THE PERIMETER FENCING REQUIRED BY SECTION 5.3 OF CHAPTER 134 SHALL BE RAISED SIX INCHES (6”) ABOVE THE GROUND SO AS TO ALLOW MIGRATORY PASSAGE OF SMALL SPECIES THROUGH THE SITE; (5) THE PETITIONERS SHALL PREPARE AND SUBMIT TO THE PLANNING BOARD FOR APPROVAL A REASONABLE PLAN DESIGNED TO SUSTAIN THE NATIVE ANIMAL SPECIES IN AND AROUND THE SOLAR ARRAY FACILITY DURING ITS CONSTRUCTION AND ITS OPERATION UNTIL THE FACILITY’S CLOSURE; (6) WHILE OPERATING, THE NOISE LEVELS FROM THE INVERTERS WITHIN THE SOLAR ARRAY SHALL NOT EXCEED THE WORLD HEALTH ORGANIZATION’S STANDARD OF 55 DECIBELS MEASURED AT A DISTANCE OF 3 METERS FROM EACH OF SAID INVERTERS; (7) DURING THE SITE PREPARATION AND INSTALLATION STAGES OF THE CONSTRUCTION OF THE SOLAR ARRAY, SUCH WORK SHALL BE PERFORMED ONLY DURING THE MONDAY THROUGH FRIDAY WORKWEEK, AND ONLY BETWEEN THE HOURS OF 8:00 A.M. AND 5:00 P.M.; (8) THE ADOPTION OF ORDINANCES CHAPTER 259 AND 260 RESPECTIVELY IS CONSISTENT WITH THE TOWN OF HOPKINTON’S COMPREHENSIVE PLAN, AND IN PARTICULAR WITH THE PLAN’S OBJECTIVE LU-1 RESTRICTING POTENTIAL POLLUTING LAND USES FROM AN AQUIFER PROTECTION ZONE OR AREA; AND WITH THE PLAN’S GOAL ED-3 TARGETING DEVELOPMENT THAT IS CONSISTENT WITH ELIMINATING ANYTHING THAT IS ADVERSE TO THE QUALITY OF LIFE INCLUDING ESTABLISHING BUSINESS INTERESTS THAT WILL HAVE LIMITED TO NO IMPACT TO THE ENVIRONMENT; (9) LOCATION OF THE SOLAR PANELS SHALL BE LIMITED TO THE AREAS OF THE SITE’S 137 ACRES

AS DEPICTED ON THE DEVELOPMENT PLANS FILED WITH THE HOPKINTON PLANNING BOARD; (10) REQUESTED WAIVERS THAT WERE REQUESTED BY THE APPLICANT, INCLUDING SEPTIC SYSTEM, AND EVIDENCE OF WATER SUPPLY, ARE HEREBY APPROVED; (11) OF THE APPROXIMATELY 137 ACRES, NOT MORE THAN 58 ACRES, OR LESS THAN 55 ACRES WILL BE USED FOR THE SOLAR FARM AND APPROXIMATELY 70 ACRES WILL REMAIN FORESTED; (12) DURING CONSTRUCTION, NO BLASTING IS ALLOWED, ALL TOPSOIL WILL REMAIN ONSITE, AND THE TOWN'S ENGINEER OR REPRESENTATIVE WILL DO PERIODIC INSPECTIONS AND THE TOWN WILL BE REIMBURSED FOR THIS COST. ADDITIONALLY, THE APPLICANT AND FUTURE OWNERS WILL BE REQUIRED TO SUBMIT INSPECTION REPORTS TO THE TOWN MANAGER OR HIS REPRESENTATIVE EVERY MONTH FOR THE LIFE OF THE PROJECT; (13) AFTER THE COMPLETION OF THE PROJECT, THE APPLICANT AND ANY FUTURE OWNERS WILL ALLOW THE TOWN TO CONDUCT INSPECTIONS IN APRIL OF EVERY YEAR FOR THE LIFE OF THE PROJECT AND WILL REIMBURSE THE TOWN FOR THIS COST; AND (14) THE APPLICANT WILL ALLOW THE TOWN THE OPTION TO PURCHASE METERED CREDITS IN ORDER TO LOWER ITS ELECTRICITY COSTS.

Councilor Capalbo wished to make an amendment to Councilor Thompson's motion, indicating that No. 6 should read: (6) WHILE OPERATING, THE NOISE LEVELS FROM THE INVERTERS WITHIN THE SOLAR ARRAY SHALL NOT EXCEED THE WORLD HEALTH ORGANIZATION'S STANDARD OF 40 DECIBELS MEASURED AT A DISTANCE OF 3 METERS FROM EACH OF SAID INVERTERS. She indicated that 55 decibels is considered an annoyance and 40 is considered quiet rural nighttime.

Councilor Husband questioned No. 11 which indicated that approximately 70 acres will remain forested; he thinks of forested as meaning trees. He stated that he does not believe a lot of those 70 acres not being touched are trees; he believes it is probably grasslands and brush. He would like this amended to state that approximately 70 acres will remain untouched. Councilor Thompson responded

from the expert's report which states that the property was 30% wetlands and approximately 70 acres is to remain wooded of the 137 or 138 acres; and then there are 10 acres of meadow lands that are already cleared, so those 10 acres are going to be part of the solar array. The report states that 70 acres are forested and that is right out of the hearing transcript which was the statement by the expert, so she didn't feel the need to change this.

COUNCILOR THOMPSON SECONDED COUNCILOR CAPALBO'S AMENDMENT TO HER ORIGINAL MOTION. Vote on the amendment:
IN FAVOR: Landolfi, Buck, Thompson, Capalbo, Husband
OPPOSED: None

SO VOTED

COUNCILOR BUCK SECONDED COUNCILOR THOMPSON'S MOTION AS AMENDED BY COUNCILOR CAPALBO. Vote on the amended motion:
IN FAVOR: Landolfi, Buck, Thompson
OPPOSED: Capalbo, Husband

SO VOTED

2018 RIDEM RECREATION GRANT AGREEMENT RE: LANGWORTHY FIELD IMPROVEMENTS PHASE II GRANT AWARD

This matter had been scheduled to discuss, consider and vote to authorize the Council President to sign the 2018 RIDEM Recreation Grant Agreement re: Langworthy Field Improvements Phase II \$300,000.00 Grant Award.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO AUTHORIZE THE TOWN COUNCIL PRESIDENT TO SIGN THE 2018 RIDEM RECREATION GRANT AGREEMENT RE: LANGWORTHY FIELD IMPROVEMENTS PHASE II \$300,000.00 GRANT AWARD.

IN FAVOR: Landolfi, Buck, Capalbo, Husband, Thompson
OPPOSED: None

SO VOTED

NEW BUSINESS:

STATUS OF 1904 ASHAWAY ELEMENTARY SCHOOL BUILDING

This item had been scheduled to allow discussion regarding the status of the Ashaway Elementary School 1904 Building.

Council President Landolfi indicated that he is in favor of razing the building for there doesn't seem to be any alternative. Councilor Thompson stated that if the Town was going to have to foot the whole bill for tearing down the building then it would need to be part of their next budget cycle. They would need to get a firm estimate of how much this will cost. She asked that the Town's engineers look at the old estimate and come up with a new updated estimate. She commented that there was a Board or State Committee that would be reviewing all the schools for security reasons and suggested asking them for funding. Councilor Capalbo stated that she is in favor of razing the building; however, she would like to salvage anything that can be salvaged inside the building for the citizens, such as the slate boards, the bell and the cupola. She would like to see this building memorialized. She agreed that the building does have to come down. Councilor Husband agreed and indicated that the building has served its purpose but is now a hazard due to asbestos and lead and the building is not handicapped accessible. He would like to see as much salvaged as possible. Councilor Capalbo stated that Lauri Arruda of the Hopkinton Historic Association is interviewing people who went to the old Ashaway School and anyone interested should contact her; this being a way to memorialize the history of the old school. Councilor Husband stated that he would like to see a date set for any former students to take a tour of the building before it is torn down. Councilor Buck stated that he has been and still is against taking the building down. He does not like tearing down history, something that is happening across the country. He believed the building was structurally sound and thought there might be other uses for the building. He noted that he would not put up a fight to block the razing. He stated that if the building were to be torn down then he would request that Chariho High School pay half the cost since the school district was pushing for the building to come down. Councilor Buck went on to state that once that building is torn down he wished the footprint of the building to be grassed in and he will not agree to that area being made a parking lot. He would like a gazebo to be put on that grass spot so the kids will have some place for outdoor activities. He stated that

Hopkinton residents are proud of where they grew up and to remove history hurts him. He believes there may be a company who might come in and take anything of value out of the building and pay the Town for those items. Council President Landolfi indicated that there has not been any money budgeted for this project in the current budget so this would have to be dealt with next year; and, he agreed that they should try to have Chariho contribute to the cost. Ronald Sposato, Chief of the Ashaway Fire Department spoke about the safety concerns that the Fire Department had with this building and stated that this is the single biggest fire hazard in the whole Town of Hopkinton due to the close proximity to the new building, the lack of water and lack of a sprinkler system; though they do have a plan in place if something were to happen. They would need 20 trucks to respond if there was a fire just to protect the new building due to combustibles inside and toxins. He felt they should move the jungle-gym over to that spot which is now on the side of the other building and that would make more room for the firetrucks to come in for the other building. Mike Geary stated that school safety is the number one priority and he agreed that this building should be torn down. Claire Ornburn, a Fourth Grade teacher in Ashaway Elementary School indicated that the staff at Ashaway understands the historic and sentimental value of the 1904 building and they want to help preserve those memories for future generations. She stated that never in any conversation has there ever been talk about putting a parking lot or extending their playground. If the building were to come down they wish to work with the Town, the PTO and their students to create a green area for people to come and reminisce about the old school. They envision benches, a garden, perhaps a cupola with the beautiful weathervane at the top of the building. Chief David Palmer indicated that he believed the Council was making the right decision. He understands the history and nostalgia but school safety is priority. He stated that he has officers that go through the school at least three times a day and taking down the old building will give them access to see the school when they drive by, which is very important. They have also had to arrest eight people in the past for vandalizing the old building, most of who were juveniles. Pamela Grills indicated that her father, Richard Grills, also believed in preservation, conservation and saving our history. He had stated to

her a few months prior to his death that he had done all he could and now he was leaving everything to the next generation. Ms. Grills stated that the children are the next generation and we need to put their safety first. Robert Burdick spoke indicating that while growing up he lived on Church Street in Ashaway and he went to Ashaway School from 1940 to 1957. He believed the school is in remarkable shape for its age. He would hate to see the school torn down. Scott Bill Hirst of 20 Maple Court, Ashaway indicated that he attended Ashaway School from Kindergarten to 6th Grade and he is not really in favor of tearing the school down though he believes a practical decision needs to be made. He indicated that what concerned him is that the annual Financial Town Assembly was held on May 1st and he wrote a letter trying to get people to come to the meeting, which was published in the Westerly Sun and Chariho Times. They did not have a big attendance, and that would have been the time for people to speak to their Town government about this issue. If people had concerns they should have voiced them at that meeting. Gina Lee indicated that she is a Kindergarten teacher at Ashaway Elementary School, as well as the wife of a Fire Chief, resident of Hopkinton and mother of three boys. She stated that she understands the historical and architectural significance of the building, however, she is concerned about safety. She requested the building be torn down to alleviate that concern. Lisa Macarusa indicated that she was a resident of Ashaway, member of the Chariho School Committee and appointee to the Ashaway School Safety Team. She confirmed that Councilor Thompson was correct in that there was a State report and there was an all hazard site safety State evaluation performed in 2015, which is done every third year, and she was a member of that team as was Captain Carrier, Chief Palmer, Ashaway Fire administration and others. It was noted and documented in that report to the State that the 1904 building encompassed the concerns expressed this evening. Councilor Thompson asked who they send that report to and Ms. Macarusa stated that the report was not in writing; it is given to the State's safety person. She also complimented the Council on being excellent financial stewards of the residents' tax dollars; and asked that the Council reallocate some of the money that they have saved for the Crandall playground or the beautification project for the Town Hall and make the tearing down of this

building a priority. She also asked the Council this evening to form a subcommittee or a task force for they have interested members of the community that are willing to help. There are things that can be started such as contacting companies to see who might be able to salvage parts of the building. Ron Prellwitz of 278 Main Street stated that he has lived in this community his entire life. He questioned whether there was a possibility for people to survey the demolition of the building to preserve everything that can be preserved. There are organizations that will come from all over, including other countries, who will buy a lot of these things. Barry Ricci stated that every school has a safety assessment done every three to five years which is submitted to the State and they must document to the department that it is done; there is also a local assessment performed and there is no money behind it so he did not believe there would be any money for repairs. Every school does have a safety plan in place. The initiative tonight was a grass roots effort and not an issue of the school committee for this property was owned by the Town. He believed the challenge going forward will be to preserve the memory of the 1904 building. Councilor Thompson asked Mr. Ricci where that safety report went every three years and Mr. Ricci stated that the State Police has a unit that looks at them. Councilor Thompson asked if there was any follow-up and was told that there would be if warranted. Ron Prellwitz asked why the safety assessment was only done every three years and Mr. Ricci indicated that it is local so it can be updated any time they wish but it is a legislative requirement that it be done every three years. The safety plan is updated annually. Mrs. Macaruso further elaborated that beyond the assessment were various drills that occur on a regular basis. Jessica and Kendrick Swain of 17 Hillside Avenue indicated that they live directly across the street from Ashaway School. They agreed that the 1904 building is a beautiful building. Mrs. Swain explained that her daughters play in the school yard and her youngest daughter attends Ashaway School. She is concerned about the amount of debris around the old building which the kids are constantly climbing on or playing around. There are windows that are breaking and siding is falling off. The kids do have a potential to get hurt, to get lead poisoning or have other issues. She is an occupational therapist and she doesn't want to see these things for her children

or other children. She is also terrified of a fire with 20 firetrucks coming onto the small street. Mr. Swain indicated that the history still exists and people still have their memories and there will be a plan to memorialize the building. Ron Sposato indicated that the bell has already been saved and it is in front of the building. Pamela Grills asked the Council if they would be voting this evening on the tear down of the school and Council President Landolfi indicated that this was not on the agenda to vote, only for discussion. Councilor Thompson indicated that this matter would come up again at the next budget schedule, so in February of 2019. Council President Landolfi indicated that the money is not in this year's budget. Ms. Grills asked about forming a subcommittee and Councilor Thompson indicated that the Councilors all work together. Ms. Grills requested a subcommittee of residents and Councilor Thompson stated that the Council had to first absorb all of the information that they received tonight. Council President Landolfi indicated that they would put something on an upcoming agenda if that was the direction they wished to go in, they would vote on it, discuss it and then they will set it up. Councilor Thompson indicated that they would notify the school principal to pass along the information.

TOWN COUNCIL CONTINGENCY TEE SPONSOR DONATION

This matter had been scheduled to discuss, consider and vote to authorize a \$100.00 Tee Sponsor donation from Town Council Contingency line item # 5065-001 to sponsor a tee to support and contribute towards the June 2, 2018 Hopkinton Police Department/IBPO Local 498 1st Annual Golf Tournament Fundraiser.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK TO AUTHORIZE A \$100.00 TEE SPONSOR DONATION FROM TOWN COUNCIL CONTINGENCY LINE ITEM # 5065-001 TO SPONSOR A TEE TO SUPPORT AND CONTRIBUTE TOWARDS THE JUNE 2, 2018 HOPKINTON POLICE DEPARTMENT/IBPO LOCAL 498 1st ANNUAL GOLF TOURNAMENT FUNDRAISER.

IN FAVOR: Landolfi, Buck, Capalbo, Husband, Thompson

OPPOSED: None

SO VOTED

RI HANDS-FREE CELL PHONE LAW

Hopkinton Police Chief David Palmer was in attendance to provide a presentation on the new RI Hands-Free Cell Phone Law going into effect on June 1, 2018. He stated that if you are listening to your phone or talking to your phone and it is in your hand, it is illegal. If it is in the vicinity of your ear, then you will be charged. The first offense will be \$100; the second offense will be \$150; the third offense \$250; and thereafter, it will be a suspension of your license. The use of a cell phone while in a vehicle should be on an emergency basis only, meaning you should pull over and be on and off quickly. Minors cannot use cell phones at all while driving. Blue tooth pairing is acceptable. You are not allowed to drive with two earphones in your ears; one ear bud must be out. Someone asked Chief Palmer if this would affect using navigation and he responded that this is a problem. When they presented the texting and driving law they recognized that using the GPS violated that law, so they came up with another law that allows you to use your GPS. The police have to prove their case and this is one of the scenarios where it becomes an issue, when you are allowed to use your GPS. It can be a loophole.

BOARDS & COMMISSIONS:

Affordable Housing Partnership

This matter had been scheduled to discuss, consider and vote to reappoint Mary Karlsson to the Affordable Housing Partnership. Mrs. Karlsson wrote to indicate she wished to be reappointed.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR BUCK TO REAPPOINT MARY KARLSSON TO THE AFFORDABLE HOUSING PARTNERSHIP.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson

OPPOSED: Husband

SO VOTED

PUBLIC FORUM

No one spoke during the second public forum.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR HUSBAND AND SECONDED
BY COUNCILOR BUCK TO ADJOURN.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Breault

Deputy Town Clerk